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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney Dock t No. 040373/0304**

Applicant: Koichi TOYODA et al.

Title: TEMPORARY WORKER INFORMATION MANAGEMENT SYSTEM,  
TEMPORARY WORKER INFORMATION MANAGEMENT METHOD,  
DISPATCHING TERMINAL, JOB OFFER TERMINAL, DISPATCHING  
INFORMATION SERVER, AND RECORDING MEDIUM

Serial No. 09/873,217

Filed: June 5, 2001

Examiner: Unassigned

Art Unit: 2161

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**GROUP 3600**

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Japanese Office Action that issued December 9, 2003 with respect to a counterpart Japanese patent application is provided below.

- A. The inventions described in the following claims of this application do not meet the requirements stipulated in the preamble of Article 29, Subsection 1 of the Patent Law in the points indicated below, and therefore cannot be patented.

**Notes**

Claims 1 through 5 and Claims 11 through 14 describe the fact of comprising functional means such as a transmitting means,

but the language specifying the functional means merely specifies the business function that those means are to serve, and does not specify how computer hardware resources are used to concretely implement the technical means that are to serve those business functions. That is, these claims contain no language that specifies the software-based information processing as a computer system concretely implemented using computer hardware resources.

The inventions described in Claims 6 through 10 can also be interpreted as being human conventions.

Therefore, these claims do not describe the software-based information processing concretely in terms of how it uses computer hardware resources, and thus do not constitute the creation of a technical idea that utilizes laws of nature.

- B. The inventions as per the following claims of this application could have been easily invented by a person having ordinary knowledge in the technical field of the invention prior to the filing of this application based on inventions described in the publications indicated below, which were distributed in Japan or abroad, or on inventions made publicly available through telecommunication lines prior to the filing of this application, and therefore cannot be patented as per the stipulations of Article 29, Subsection 2 of the Patent Law.

#### Note

(For a list of the cited literature, see the List of Cited Literature.)

#### Claims 1 through 14 Cited Literature 1 through 4

Cited Literature 1 describes the point of performing personnel hiring and job seeking intermediation via a network.

Cited Literature 2 describes a personnel dispatch related management system.

Adopting the art described in Cited Literature 1 and 2 to enterprise-internal personnel dispatch, thereby arriving at the invention of the present application, is something that could be easily accomplished.

Other differences such as performing authentication, etc., do not go beyond what could be suitably conceived of by a person skilled in the art.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication 2000-123036
2. Japanese Unexamined Patent Application Publication H11-39392 (*Filed as IDS*)

Record of Prior Art Literature Search Results

Fields searched - IPC 7th Edition - G06F 17/60  
G06F 19/00."

Applicant's statements regarding the Japanese Office Action is based on a partial translation that Applicant's representative obtained. This statement should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

Date January 29, 2004

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: January 29, 2004 (Use as many sheets as necessary)		<b>Complete if Known</b>	
Application Number	09/873,217		
Filing Date	06/05/2001		
First Named Inventor	Koichi TOYODA		
Group Art Unit	2161		
Examiner Name	Unassigned		
Attorney Docket Number	040373-0304		

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A1	JP	2000-123036			04/28/2000		ABS

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.